

Julie Parsley
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Executive Director



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Public Utility Commission of Texas

Marlene H. Dortch - Secretary
Federal Communications Commission
445 Twelfth Street, S.W. - TWA 325
Washington, D.C. 20554

Irene Flannery - Vice-President of High Cost and Low Income Divisions
Universal Service Administrative Company
2000 L. Street, NW - Suite 200
Washington, D.C. 20036

October 11, 2005

RE: Federal-State Joint Board on Universal Service, CC Docket No. 96-45

TX PUC Project No. 25787 - FCC Letters Regarding ETC Designation Pursuant to FTA '96 §214(e) (2)

Docket No. 31549 - Application of NII Communications, LTD. (NII) for Amendment of Its Eligible Telecommunications Carrier Designation Pursuant to 47 U.S.C. 241(e) and P.U.C. Subst. R. 26.418

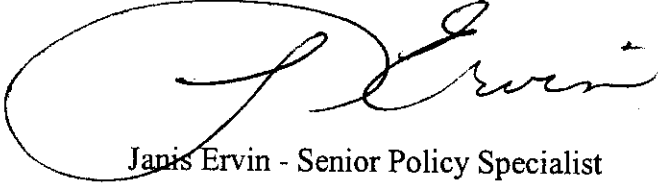
Docket No. 24481 - Designation of Common Carriers as Eligible Telecommunications Carrier to receive Federal Universal Funds Pursuant to the Federal Communications Commission's Fourteenth Report and Order Adopting A State Certification Process

Amendment of ETC Designation of NII Communications

Pursuant to Section 214(e) (2) of the Communications Act of 1934, as amended (the "Act") and 47 C.F.R. sections 54.201 - 54.203, the Texas Public Utility Commission (TPUC) has granted an amendment to the eligible telecommunications carrier (ETC) designation of NII Communications, LTD. (NII) to add the entire Texas service territory of SBC Texas (SBC). NII was previously granted its ETC designation in TPUC Docket No. 24265 on August 23, 2001 for eighty-one (81) SBC exchanges. The attached *Order No. 3*, TPUC Docket No. 31549, issued on October 7, 2005, grants the ETC designation amendment.

If you require any additional information please call Janis Ervin at (512)-936-7372.

Sincerely,

A handwritten signature in cursive script, appearing to read "J Ervin". The signature is written in black ink and is positioned above the printed name.

Janis Ervin - Senior Policy Specialist

Infrastructure Reliability Division - Texas Public Utility Commission

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FCC - MAILROOM DOCKET NO. 31549

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APPLICATION OF NII
COMMUNICATIONS, LTD. FOR AN
AMENDMENT TO ITS DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS
CARRIER (ETC), AND TO ITS
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS PROVIDER
(ETP)

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PUBLIC UTILITY COMMISSION
OF TEXAS

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ORDER NO. 3

**NOTICE OF APPROVAL TO AMEND DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS CARRIER (ETC)
AND AS AN ELIGIBLE TELECOMMUNICATIONS PROVIDER (ETP)**

Procedural History

On August 25, 2005, nii communications, ltd. (the Applicant) filed an application to amend its designation as an eligible telecommunications carrier (ETC), pursuant to P.U.C. SUBST. R. 26.418 and 47 U.S.C. §214(e), and as an eligible telecommunications provider (ETP), pursuant to P.U.C. SUBST. R. 26.417, which was assigned Docket No. 31549.

The Applicant holds Service Provider Certificate of Operating Authority (SPCOA) No. 60240 granted in Docket No. 24265 on August 23, 2001, for 81 Southwestern Bell Telephone (SBC) exchanges. On August 30, 2005, an amendment to the application was filed to clarify that the area for which it seeks ETC and ETP amendment is the balance of SBC's service territory. The Applicant does not seek designation for Verizon territory at this time.

The Applicant seeks to amend the ETC and ETP designations to add the remaining SBC exchanges. The Applicant requested an effective date of no later than October 15, 2005.

On September 15, 2005, Order No. 2 was issued granting a waiver of P.U.C. SUBST. R. 26.417(f)(1)(B)(i)(II) to allow for the simultaneous processing of the ETC and ETP applications.

On September 27, 2005, Commission Staff (Staff) filed its recommendation on final disposition. Having met all of the required criteria, Staff recommended that the Applicant be granted an amendment to its ETP and ETC designations for the balance of SBC exchanges.

Ordering Paragraph

Based on Staff's recommendation, pursuant to P.U.C. SUBST. R. 26.418 and 26.417, the Applicant's application for an amendment to its ETC and ETP designation to include the remaining exchanges in SBC's service territory is approved effective October 10, 2005.

SIGNED AT AUSTIN, TEXAS the 7th day of October 2005.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in cursive script, appearing to read "Irene Montelongo", is written over a horizontal line.

**IRENE MONTELONGO
ADMINISTRATIVE LAW JUDGE**